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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

Erik Estavillo,

Plaintiff,

v.

Activision Blizzard, Inc.

Defendant,

CASE NO. 5:19-cv-05540-NC

Assigned To: Hon. Nathanael Cousins
Courtroom: 5

**REPLY IN SUPPORT OF
OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS**

1. Established Liability through similar facts occurring to other victims:

Here are more recent examples of Blizzard getting carried away with their arbitrary and lawless suspensions and bans, which are now in the realm of becoming unconstitutionally ungovernable from within their own company, particularly, when it comes to any type of free speech they don't agree with. Recently, a hearthstone hong kong player was banned for simply stating his viewpoint on how he feels about the hong kong situation. Many notable lawmakers have responded to Blizzard appealing to a foreign country's demands and their far-reach of regulating free speech here in the States. To quote the supplemental recent news articles, "Now, US senators are criticizing the game's publisher for its move.

1 “Blizzard shows it is willing to humiliate itself to please the Chinese Communist Party,” Sen. Ron
 2 Wyden (D-OR) said. “No American company should censor calls for freedom to make a quick buck.”
 3 ... “Recognize what’s happening here. People who don’t live in China must either self censor or face
 4 dismissal & suspensions,” Sen. Marco Rubio (R-FL) said in a tweet on Tuesday. “China using access to
 5 market as leverage to crush free speech globally. Implications of this will be felt long after everyone
 6 in U.S. politics today is gone.”
 7

8 **2. Conclusion:**

9 These are just more recent examples of Blizzard getting carried away with their arbitrary
 10 and lawless suspensions and bans, which are now in the realm of becoming unconstitutionally
 11 ungovernable from within their own company, particularly, when it comes to any type of free
 12 speech they don't agree with.
 13

14 Blizzard Entertainment, Inc. continues to embarrass itself and the United States through
 15 such suspensions and bans that violate the first amendment and our right to certain free
 16 speech, even such speech that occurs online or in a video game. These financially hurtful
 17 suspensions and/or bans to customers need to be addressed in Federal Court and Blizzard
 18 should be required to notify customers before they purchase a game, on the digital game page,
 19 that refunds will not be granted for customers who exercise their right to free speech if
 20 BLIZZARD DOESN'T AGREE WITH YOUR VIEWPOINT or if your viewpoint may also happen to piss
 21 off any foreign country they're financially in bed with, especially China (read supplemental
 22 exhibit articles for more context on this last sentence).
 23
 24

25 By: /s/ Erik Estavillo _____,

26 Erik Estavillo
 27 Pro-se, Pro-per
 28